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# Security Council

Sixty-sixth year

*Provisional*

**6649**th meeting

Tuesday, 8 November 2011, 3 p.m.

New York

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| *President*: | Mr. Cabral | (Portugal) |
| *Members*: | Bosnia and Herzegovina | Mr. Barbalić |
| | Brazil | Mrs. Dunlop |
| | China | Mr. Wang Min |
| | Colombia | Mr. Osorio |
| | France | Mr. Araud |
| | Gabon | Mr. Messone |
| | Germany | Mr. Berger |
| | India | Mr. Kumar |
| | Lebanon | Ms. Ziade |
| | Nigeria | Mr. Onowu |
| | Russian Federation | Mr. Zhukov |
| | South Africa | Mr. Sangqu |
| | United Kingdom of Great Britain and Northern Ireland | Mr. Parham |
| | United States of America | Mr. DeLaurentis |

## Agenda

The situation concerning the Democratic Republic of the Congo

Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (S/2011/656)

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*The meeting was called to order at 3.10 p.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**The situation concerning the Democratic Republic of the Congo**

**Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (S/2011/656)**

**The President**: Under rule 37 of the Council's provisional rules of procedure, I invite the representative of the Democratic Republic of the Congo to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Roger Meece, Special Representative of the Secretary-General and Head of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2011/656, which contains the report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo.

I now give the floor to Mr. Meece.

**Mr. Meece** (*spoke in French*): It is my honour once again to brief the Security Council on the current situation in the Democratic Republic of the Congo. Allow me to thank you, Sir, for giving me the opportunity to do so.

(*spoke in English*)

The Democratic Republic of the Congo is currently the focus of a great deal of activity in preparation for the second round of democratic elections since those successfully held in 2006. I know that Council members are well aware of the importance of those elections. I would like to reaffirm the strong determination of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and, indeed, of all members of the United Nations family in the Democratic Republic of the Congo to contribute to peaceful, free and fair democratic elections in the country, with the support of many partners.

For MONUSCO and the United Nations Development Programme in particular, we are heavily engaged in a wide variety of activities to support the Independent National Electoral Commission (INEC) as it oversees and directs the election process. For example, we have added 30 civilian aircraft to the MONUSCO air fleet to help distribute election materials throughout the country in accordance with the INEC logistics plan. We are providing substantial technical assistance and have helped organize and support an ongoing series of activities to promote greater dialogue among political candidates and parties, civil society and Government institutions.

I know that the Council was recently updated on many aspects of the election process, but I would wish to highlight a few observations with regard to some important election-related issues. The organizational and logistics aspects of the scheduled 28 November presidential and legislative elections are of course enormous, with more than 32 million voters in a very large country. In addition to 11 presidential candidates, 18,864 National Assembly candidates have been registered, which is nearly double the number of those running in 2006. The number of polling stations has also increased significantly to provide additional capacity and opportunity for Congolese voters, with the final list of 63,865 polling stations recently published. The November national elections are the first in an election cycle that includes very important provincial elections scheduled for March 2012, and the 2013 local elections. Local elections were not held as anticipated in the 2006 election cycle. The importance of fulfilling the full cycle this time should not be underestimated.

There is, unfortunately, a good deal of misinformation circulating regarding the Democratic Republic of the Congo's elections. In particular, as in 2006, the very sophisticated voter registration system incorporates scanned fingerprint and photo images. A check by two separate contractors of that voter database produced less than 120,000 duplicate entries — a major contrast to the hundreds of thousands erroneously spoken of in some press and other reports. That rate is on the same order as the one found in 2006, and is well within the bounds one would anticipate in a voter list of this size. In brief, let

me just state that predictions of a process that cannot produce free, fair and transparent elections are simply wrong. We are fully engaged to ensure the democratic conduct of those elections on 28 November, in accordance with the INEC calendar.

Of course, there have been, and there are, major challenges. But progress is being made. The election kits for polling stations, voting booths, training materials and related supplies have already arrived in the country, with most already transported by MONUSCO and INEC to 15 hubs and a majority of the 210 sub-hubs. Ballot boxes started to arrive on 28 October. A continuing flow of follow-on flights is occurring to ensure full delivery. Ballot papers for the presidential race are being printed in South Africa. The South African Government has generously committed to the transport of the roughly 3,000 tons of ballot papers directly to designated hubs in the Democratic Republic of the Congo, greatly simplifying the subsequent distribution requirements inside the country.

Recruitment and training for the estimated 340,000 INEC agents needed for the elections is under way, as is training for the projected nearly 58,000 national observers. International observers from the European Union, the Carter Center and the Southern African Development Community are already in the country — the first deployments of what we estimate will be more than 600 accredited international observers.

I am pleased to report that generous international financial support has fulfilled to-date all financial pledges for elections support. INEC's budget overruns in the original election budget — for example, for unanticipated air transport of ballot boxes — have been covered by national authorities, with the Government of the Democratic Republic of the Congo likely to assume roughly 75 per cent of the total election costs.

I must note one striking fact that is disappointing. Only roughly 12 per cent of National Assembly candidates are women; all of the presidential candidates are men. Women represent just under half of all the registered voters. It is clearly desirable to have greater participation by women in elected office. I believe that it is important for us all to focus on this area in the coming months and years, in partnership with Congolese Government authorities and civil society, to see how the participation of women contesting for electoral office in the future can be significantly increased.

Security issues also have been an ongoing concern. We can anticipate that election-related tensions will increase as we draw closer to the 28 November election date. There was a particularly tragic occurrence on 28 October, when two persons, including a girl, were reportedly killed in Mbuji-Maya, Eastern Kasai province, on the margins of demonstrations in the town. The Congolese police and other authorities bear the primary responsibility to manage often difficult public order situations through non-lethal means. Parties seeking to stage peaceful public demonstrations in accordance with established Congolese notification procedures must be accorded the right to do so without impediment. Indeed, it is essential that individuals and political parties are not denied their human rights and political freedoms in the pre-electoral period, which will be the focus of a report to be published on 9 November by MONUSCO and the United Nations High Commission for Human Rights.

At the same time, it is very important for candidates and political leaders and their followers to behave in a responsible manner. I am pleased to note that the Governor and opposition representatives in Eastern Kasai have had a successful meeting in the wake of the 28 October demonstration to calm tensions and provide for a peaceful campaign period. In recent days, however, there have been worrisome actions and statements that contribute to or, worse, incite increased violence or other unacceptable behaviour. I would like to reiterate our call on all Congolese leaders to do everything possible to ensure a peaceful and orderly election period, and for those parties that have still not done so to sign the code of good conduct.

I would also note that we have been actively training thousands of Congolese police in professional techniques of crowd control and public order. Observations to date of the six battalions of rapid intervention police trained by MONUSCO, as well as of two others trained by France and one by the Congolese Government, underscore the value of such training, as those units have performed well in accordance with their training. I would also note with appreciation an additional unit being trained by the South African Government specifically for candidate protection, which is also a key factor in election security. I underscore again, however, the pressing need for additional non-lethal equipment for trained

police units, which we are unable to provide under MONUSCO financing. Of the $3 million in equipment needed for the six MONUSCO-trained battalions, for example, only $500,000 has been identified to date, that being a contribution by the United States Government. Therefore, we again appeal for additional donor funding to permit an expansion of police training programmes, which is an essential component for the Democratic Republic of the Congo's long-term stability and success.

The major security concern in the country of course remains the activities of armed groups in the eastern part of the Democratic Republic of the Congo. While to date none of those groups has shown evidence of seeking to disrupt the election process as such, their activities continue to pose a major threat to civilian populations where they operate and, on a localized basis, threaten state functions, including the conduct of the polls. The protection of civilians remains our overriding priority, and is a major focus of much of MONUSCO's overall activities.

Unfortunately, as reflected in the Secretary-General's report (S/2011/656), I believe that we — the Forces armées de la République démocratique du Congo (FARDC) and MONUSCO — have lost momentum in dealing with armed groups in the east, particularly in North and South Kivu provinces. Much of this has been related to the reorganization of the FARDC into regiments, a process that has left significant gaps that have been exploited by various groups. The problem has been exacerbated by the continuing shortage of MONUSCO military helicopters, which has imposed severe limits on the nature and level of our military operations.

A net result of this problem has been the emergence or strengthening of several Congolese groups. A group identified as Mayi-Mayi Yakutumba, for example, has gained significant strength in South Kivu province, working in cooperation with the Burundian Forces nationales de libération and elements of the Forces démocratique de libération du Rwanda (FDLR). Espousing a xenophobic rhetoric that risks re-igniting serious inter-community tensions in the area, Yakutumba has increased its illegal operations on Lake Tanganyika and has grown increasingly bold in its attacks, including what appears to be a recent ethnic-based targeted killing of seven national workers from a local non-governmental organization.

We will be working closely with the FARDC, within available resources, to counter that group at the earliest opportunity. At the same time, we are supporting community leaders and others who are seeking to ensure that inter-community tensions do not escalate.

Similarly, other groups such as Rahiya Mutumboki in South Kivu, Mayi-Mayi Cheka and Mayi-Mayi Janvier or the Alliance des patriotes pour un Congo libre et souverain in North Kivu have continued or stepped up activities that threaten civilians in their local zones of operations as well. They must be addressed.

Of the foreign armed groups still present in the eastern Democratic Republic of the Congo, despite whatever breathing space has been afforded recently, the Rwandan FDLR continues to show signs of internal divisions and relative weakness. There too, it is important to restore strong military pressure on the group, alongside judicial and disarmament, demobilization, repatriation, reintegration and resettlement efforts, to promote greater levels of repatriation and a general continued degradation of their capability.

Similarly, the Ugandan Allied Democratic Forces/National Army for Liberation of Uganda remains a significant threat in northern North Kivu. Council members are well aware of the ongoing and particularly brutal regional threat posed by the Lord's Resistance Army, or LRA. While current LRA intentions or plans in the Democratic Republic of the Congo are unclear, we remain committed to do everything possible within our resources to protect civilians in north-eastern Congo against their attacks and to support the broader strategies to degrade overall LRA capabilities in the region, which are key to eliminating this menace.

A major ongoing particular concern is sexual and gender-based violence in the Congo, particularly the shocking number of rapes that continue to be reported.

The activities of the armed groups in the east remain a fundamental cause. From January through September, of the documented cases of sexual-based crimes in eastern Congo, over half are attributed to armed groups, notably the FDLR, as well as various Congolese groups and the LRA. I believe that number to be underreported, as we often lack access and means to hear of or record other sexual crimes resulting from

the operations of those groups. Clearly, the elimination of the threat posed by those groups therefore remains central to improving security and reducing sexual-based violence.

Roughly 40 per cent of the documented cases in the same time frame can be attributed to elements of the national army; of those, a majority is associated with so-called integrated elements, including the Congrès national pour la défence du peuple and other former armed groups. Those units are ostensibly integrated into the FARDC but often are not fully responsive to command authority, if at all. They represent a significant problem in several respects.

I believe that that integration model needs review and revision, since integrating armed elements without the benefit of adequate training, screening and alternative programmes has, in my view, produced unsatisfactory results. We will be fully prepared to support such a review. I believe it is key to successful future FARDC performance and reforms.

Despite the extent of the problems, some significant progress has been achieved, particularly in the fight against impunity.

Although only a few court cases have received press attention, in 2011, through 31 August, we have supported a total of 140 military trial prosecutions against FARDC and police, as well as two FDLR and one Mayi-Mayi Yakutumba combatants. Sentences for sexual violence were handed down to 111 elements, with additional convictions for 141 counts of human rights violations. We are committed to continuing our efforts to provide support to strengthening the judicial system, including support to prosecution cells and other activities to encourage and realize further prosecutions.

Encouragingly, for example, we have reports that the North Kivu Military Prosecutor has now assembled sufficient evidence to proceed with the prosecution of former Mayi-Mayi Cheka leader Colonel Mayele, who is in custody, and of Cheka himself, who remains at large. More is needed, of course, but at least we are seeing a positive trend in prosecutions

I must, however, also note one significant aspect of sexual-based crimes that still receives relatively little attention. A recent study financed by the British Embassy in Kinshasa found that in 2010, 653 prosecutions involving sexual-based crimes were initiated in Kinshasa. Of those, 623 were brought in civilian courts by a relatively weak civilian prosecution and court system receiving little external assistance or support. Over a third of those cases resulted in convictions. In another area involving a recent large-scale escape of 967 prisoners from a Katanga prison, our analysis has indicated that some 25 per cent of the escaped prisoners were serving sentences associated with sexual-based crimes. Anecdotal information would suggest that such figures are representative of other parts of the country as well.

I draw two major observations from those reports. First, it is clear that there is in fact a broader problem of sexual- and gender-based crime, well above levels historically associated with the region prior to the years of conflict. Secondly, it is also clear that Congolese institutions are significantly engaged in this battle against impunity, despite severe resource and other constraints, and with limited external support.

One conclusion is obvious. We can and should do more, and I would strongly encourage greater attention and involvement of all partners in this under-reported and under-studied area.

Before concluding, let me also emphasize that we remain strongly engaged in the stabilization agenda to support the strengthening of State capacity and to establish the conditions needed for long-term stability in the Democratic Republic of the Congo. President Kabila, in his address in September to the General Assembly (see A/66/PV.16) encouraged a greater emphasis on peacebuilding and development efforts. I would certainly endorse that sentiment. The stabilization and reconstruction programme in the east has succeeded in mobilizing over $243 million thus far in infrastructure and other development projects for the eastern Democratic Republic of the Congo. Our Stabilization Support Unit is indicating very promising advance commitments for the next phase of programmes. That represents encouraging results and engagement, but more is needed.

In addition, we have moved forward with Government authorities and partners to establish and define a peace consolidation programme for the area of the country not included in the existing stabilization and reconstruction framework. That has been developed in full consultation with Government authorities and international partners. We hope it will be adopted at the earliest time possible and that it will

help guide development programmes to address major and urgent issues present in many areas of the Democratic Republic of the Congo. Indeed, we hope the programme may help mobilize additional resources to implement programmes addressing those needs, which are not yet being adequately addressed.

(*spoke in French*)

In conclusion, I wish to express yet again my gratitude to the members of the Council and to the international community as a whole for their ongoing support, which is so valuable to us in carrying out our mandate. The problems we confront do not, for the most part, have short-term solutions. Therefore we need the Council's consistent commitment and continuing support. That support is essential for the Congolese people and for the region.

I would also like to reiterate my gratitude and thanks to the many members of the staff of MONUSCO and of the agencies for their major contribution and their laudable commitment.

There have been significant developments in the Democratic Republic of the Congo since the years when the country was in the throes of war. That is clearly thanks to the Council's support and to combined efforts that we can genuinely continue to move towards reaching our common objectives.

(*spoke in English*)

I thank members for their support and attention.

**The President**: I thank Mr. Meece for his briefing.

(*spoke in French*)

I now give the floor to the representative of the Democratic Republic of the Congo.

**Mr. Ileka** (Democratic Republic of the Congo) (*spoke in French*): Allow me first of all to discharge a pleasant duty and to express my great pleasure at seeing you, Mr. President, preside over the Security Council. Indeed, Portugal, your country, has close and centuries-old links with the political and cultural area to which my country, the Democratic Republic of the Congo, belongs — old and close ties, as I said, in particular with the kingdom that gave its name to two countries in the Central African subregion, that is, both Congos — Congo-Brazzaville and Congo-Kinshasa.

In the same vein, I would like to acknowledge all the merits of your predecessor, the representative of Nigeria, and thank her for her excellent presidency of the Security Council last month and to say to her that all Africa was proud during Nigeria's presidency.

I would also like to thank Ambassador Roger Meece, Special Representative of the Secretary-General for the Democratic Republic of the Congo, for the report that he has just presented, which lays out the current situation in my country (S/2011/656). I am grateful to him for the excellent reports that he regularly presents to the Council. Indeed, Ambassador Meece has described the situation in my country. The Democratic Republic of the Congo greatly appreciates his conclusions and recommendations and hopes that the Security Council will support Ambassador Meece and give his report the appropriate follow-up.

The Ambassador has also described the state of preparations for the elections. I dare to think that, with the expertise of the Independent National Electoral Commission (INEC) and with the assistance provided to it by the Government, the United Nations, multilateral and bilateral partners and the various non-governmental organizations, the INEC will be up to the task and will not miss its historic rendezvous with history in 20 days' time.

In general, and all things being equal, I can affirm, if I am not mistaken, that within the same timeframe, the electoral campaign of this year 2011 is much calmer than that of 2005-2006. It is true that tensions exist between certain candidates for the National Assembly. For example, in Kindu recently, the offices of two candidates, both claiming the presidential majority, were burned by respective supporters. Likewise, there have been tensions in Kinshasa, Katanga province and Kasaï Province, more precisely in Mbuji-Mayi, where a 13-year-old girl was killed at home, in her house, by a stray bullet after a police officer had shot in the air to disperse demonstrators. In that case, the perpetrator of the shot was arrested and an investigation of his superiors was opened.

Moreover, both provincial and national authorities are sparing no effort in urging militants of the various parties to act with further restraint, not to turn to violence and to encourage political actors to engage in responsible speech. It is important that each and every candidate understand that the elections are

not an end in themselves, but a step towards consolidating the young Congolese democracy.

Some acts, such as the affair of the stealth airplane in Kisangani, could recall tragedies of King Ubu and make one smile, but words that are completely out of place, calls to insurrection and incitement to hatred and violence should be completely banned from all discourse. It is in that sense that the precautionary step taken by the Government last Sunday to cut a media signal in Kinshasa must be understood. Moreover, that same channel was suspended this very morning by the Audio-Visual and Communications High Council, as the spectre of Rwanda and its thousand hills is not far away. Unfortunately, it seems to remain alive in certain Congolese politicians.

In order to maintain calm and civil peace in my country, it is important that the Security Council and the international community condemn that kind of agitation and its reprehensible words with the greatest energy. Not to condemn and not to convey to all the appropriate messages of peace and decency will be interpreted by extremists of all sides as a license to set in motion the spiral of violence.

Far from trying to be alarmist, I believe that when we see the first signs and harbingers of a crisis that could escalate, it is better to prevent it than to remedy it later. We must act quickly so that each and every person does not doubt the will of the Government and its multilateral and bilateral partners to resolutely take to its end, without disastrous procrastination, the electoral process that will shape the Congo of tomorrow.

**The President**: There are no more names inscribed on the list of speakers.

I now invite Council members to informal consultations to continue our discussions on the subject.

*The meeting rose at 3.40 p.m.*